

**From:** [Patricia Arack](#)  
**To:** [REG - BSC Clerk](#)  
**Subject:** Correction to my previous email sent July 24 at 8:07  
**Date:** Wednesday, July 24, 2024 8:49:57 PM

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Dear BSC: In my previous email sent July 24 at 8:07, I wrote that Mr. Engardio has asked that the "if you vote no section," it should say that at the end of the pilot the GH would revert to open 7 days a week for vehicles, yet he has told his constituents repeatedly that the BOS would vote to close the GH at the end of the Pilot. I did not include any proof that he has told his constituents that the BOS would close the GH Highway at the end of the pilot. This was an oversight on my part, and I apologize. Below is a revised suggestion which includes words sent to my personal email by Mr. Engardio on July 3, which are "**All signs point to a supermajority of the Board of Supervisors just legislating a closure next year without voter input.**" This is direct conflict with his statement that the highway will revert to all vehicles 7 days a week. I feel that proof of the conflict of his statements is important so the voters are not misled. My revised suggestions including Mr. Engardio's words are below:

Dear Ballot Simplification Committee:

Thank you for your efforts to make this ballot initiative clear to the voters. I am a long-time resident of the Outer Sunset and care deeply about our community. To that end, I find that some aspects of the language for this ballot measure to decide the fate of the GH this coming November are misleading and harmful to the clear understanding of the outcome of the yes or no vote.

I do have some recommendations. In paragraph 2, at the end is the following statement:

"This pilot program will end on December 31, 2025, unless the City extends it. When the pilot program ends, the Upper Great Highway will return to its use before the pandemic and be open to personal and commercial vehicles."

This is highly misleading to say the GH will return to vehicles 7 days a week. The truth is that at the end of the Pilot Ordinance passed by the BOS on Dec. 22, 2022, the BOS will decide the future of the GH. I suggest this: "When the pilot program ends, the Board of Supervisors will decide the future of the Great Highway," because that is exactly what will happen. It will not automatically revert to vehicles 7 days a week.

**If you vote no. . . .**

For the section, "If you vote no," I ask that you keep what you have written, that the Pilot Legislation of Dec. 22, 2022, will remain, with the weekend closure to cars. That is clear, concise, and says exactly what will happen. The original Pilot Ordinance will be reinstated, and the GH will be closed to cars from 12 noon on Friday to 6 am on Monday.

Joel Engardio, in his notes, suggests that if his ballot measure is not enacted, the highway will automatically revert to vehicles 7 days a week. We do not know that and cannot say, as Engardio implies, that this will happen. What will happen is yet to be determined. He writes, "For clarity, I suggest the "A NO vote means" section of the digest shall explain to voters what will happen if the measure is not enacted. The current status of the Upper Great Highway is temporary under legislation expiring on December 31, 2025. It should be clear to voters that if the measure is not enacted, the Upper Great Highway will return to its pre-pandemic status when the pilot program and legislation expires."

This is highly misleading and the opposite of clarity. We cannot know what will happen because we cannot see into the future minds of the BOS. Also, which measure? Not clear. The original pilot program or his current Ballot to close it if passed in November? The measure in question needs to be clearly identified.

Also, he suggests that the "If you vote no" section should say that "When the pilot program ends, the Upper Great Highway will return to its use before the pandemic and be open to private motor vehicles and will not be open as a public open recreation space at any time during the week."

This is highly confusing to me. Sup. Engardio has repeatedly said in his communications with his constituents that at the end of the pilot program, the BOS will vote to close it permanently. That it is, to put it in the vernacular, a "done deal." I want to provide here a written statement by Mr. Engardio in an email he wrote to me on Wed. July 3, in which he says,

*"By putting this on the ballot, people will have a voice they otherwise wouldn't have. **All signs point to a supermajority of the Board of Supervisors just legislating a closure next year without voter input.** Now people who are opposed have a chance to organize and vote against it. "*

Yet he wants the ballot to state that if you vote no, the GH will revert back to vehicles 7 days a week. There is a confusing conflict in his remarks that will mislead and confuse the voters. Which is it? The BOS will make the determination what will happen, or the GH will revert to its

pre-pandemic use? What is his true belief? It can't be both.

Please retain your simple statement that the GH will revert to the weekend closure determined by the Pilot Ordinance. This is exactly what will happen. What will happen at the end of the Pilot, Dec. 31, 2025, is unknowable at this time.

Also I agree that stating that passage will preserve public open space for recreation is inaccurate. Prop \_\_\_ merely will close the highway to vehicles. No funds are allocated for recreation space. There are no plans for such a space. Traffic management plans have been eliminated. There is no community discussion. A Vote Yes would merely close the road to vehicles with limited exceptions. To suggest otherwise does a disservice to the voting public.

Thank you for your consideration of my suggestions.

Sincerely,

Patricia Arack

Resident of D4

**Patricia Arack**